

under Ont. Transp.
Royal Comm. on
CA244
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-37A23



Toronto, Ontario,
November 22nd, 1937.

Your Honour and Members of the Royal Commission
to Investigate Motor Truck Industry.

Your Honour and Gentlemen:

I have pleasure on behalf of the Ontario Division of the Canadian Industrial Traffic League in submitting for your consideration the following facts:

The Canadian Industrial Traffic League is an organization whose membership represents many of the largest commercial and industrial concerns throughout Canada from the Atlantic to the Pacific Ocean.

The organization which I represent is composed of traffic directors, managers and other officials in charge of the various detailed matters involved in the shipment and receipt of commodities for the various concerns whom they represent. These officials are charged with the responsibility of handling the various traffic policies and details of their companies. Their daily work is such as to give them practical knowledge of the different types of transportation, thus enabling them to judge the effect of any policy of regulation affecting any class of transportation. It will be readily seen from this that these men are practical men not theorists.

As the matters hereinafter referred to have had the consideration of committees of the league, whose membership consists of these traffic managers and others, it will be seen that the representations are based upon practical knowledge of what is involved in these matters.

The League for the past ten years in co-operation with the Canadian Manufacturers Association, the Toronto Board of Trade and the Hamilton Chamber of Commerce have made representations to the Department of Highways with respect to regulation of this class of transportation.

In examining the matter of regulation we have endeavoured to deal with same from a practical standpoint and asked only for such regulations as would correct unfair practices which tended to interfere with the proper development of this new class of transportation in its proper field of operation to the end that commerce and industry of the Province might derive the full benefits from a soundly developed transportation service by the motor truck. Our representations have accordingly been based upon certain principles and these principles are stated herewith as a matter of information.

1. That every operator of a motor vehicle for the transportation of freight traffic (goods, wares or merchandise) for hire, pay or gain, operating on the highways, should be required to secure a certificate of necessity and convenience before he may operate on the highways.
2. That the schedules of rates and charges, together with the rules and regulations and classifications in connection therewith, should be published, posted and filed with an appropriate public authority of the province.
3. That the rates charged shall be those called for in the schedule on file, and should not be varied therefrom, except by the proper publication of any change so that all may be fully advised, and that within such schedules carriers should accept and carry freight offered to them without undue discrimination between customers and commodities.
4. Each operator should be required to effect and file with the appropriate public authority of the province an insurance policy or policies at least against the major risks which would be encountered in the business of such operator.
5. Each operator should be required to keep accounts on some prescribed system, returns being rendered to the appropriate public authority in the province on a uniform basis.
6. Each operator should be required to issue a bill of lading for each shipment, and the conditions and form of such bill of lading should be uniform throughout the province.

The present legislation in Ontario, which embodies the various principles previously outlined, is known as "The Commercial Vehicle Act 1936" and will be found in Chapter 9 Statutes of Ontario 1936. We do not advocate any change in the existing regulations, but desire the addition of such regulations as may be necessary to fully implement the existing legislation with a view to maintaining the inherent advantages of this transportation service to the users and foster sound economic conditions in the public interest.

The question of rate publicity, which is embodied in Principles 2 and 3 hereinbefore referred to, is considered of such importance as to warrant the establishment of regulations pursuant to subsection E of section 8 of the Commercial Vehicle Act 1936.

The adoption of these will, we believe, assure adequate, reliable and prompt service at reasonable rates without unjust discriminations or advantages and unfair competitive practices.

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section 3 of section 8 of the Commercial Vehicle Act 1935.

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crimination or favoritism.

These matters should be dealt with by a tribunal clothed with the necessary powers and authority as will assure compliance with such regulations by both the users and operators of the motor vehicle transportation service.

- (a) Unreasonable rates or rules and unjust discriminations or advantages should be considered unlawful and the tribunal should be available as a court or referee to which those complaining of these unlawful practices may submit their complaints for consideration and appropriate disposition.
- (b) In suggesting an appropriate tribunal clothed with proper authority to deal with the regulation of public commercial vehicle services, it is submitted that such a tribunal should have full authority to deal with the various matters pertaining to the public commercial vehicle services as covered by existing legislation or such other legislation as may be necessary. At present the Ontario Municipal Board deals with applications for certificate of necessity and convenience. The experience of this Board in dealing with this matter may suggest it as the nucleus of the tribunal we have suggested but it should be pointed out that to deal with the various matters we have suggested, this Board should be equipped with experienced members having adequate knowledge of the various matters that would be dealt with by such tribunal.

In respect to the question of license fees and similar matters contained in the terms of reference, we believe that it would be proper to submit for your consideration the view that the motor vehicle transportation service is a necessary and proper service, when conducted along sound economic lines and any assessment of license fees, taxes, etc., should be based on the consideration of matters pertaining primarily to the right of way used and the service performed without regard to any other class of transportation service. We are not unmindful of the fact that the question of subsidies may arise and in this regard it should be pointed out that rail transportation in its early development was given substantial grants of land and money which should be taken into consideration if any comparison is to be made between these two services. Reference may also be made to transportation by water where canals are used. It will be recalled that these latter services are at present given free.

In presenting the above facts we have solely in mind the placing of the motor truck industry of the province on a sound economic basis, that will assure adequate reasonable rates and returns on the investment, and that will be for the future welfare of commerce and industry of the province, and we trust that your Commission will give careful consideration to the representations we have made, that appropriate recommendation in line with our suggestions may be submitted by your honourable body for incorporation into legislative enactment with a properly constituted regulative tribunal in charge.

All of which is respectfully submitted.

THE CANADIAN INDUSTRIAL TRAFFIC LEAGUE

S. C. Bradbeer, Chairman.

Ontario Division.



